

**R&C RODGERS,**

**AGBCA No. 2003-146-2**

Appellant

**Representing the Appellant:**

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**Representing the Government:**

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**DECISION OF THE BOARD OF CONTRACT APPEALS**

March 10, 2003

**Opinion for the Board by Administrative Judge WESTBROOK.**

This appeal received at the Board January 31, 2003, arises out of Contract No. 43-0109-1-0410, Kenai Lake Work Center (KLWC) Equipment Storage and Reroofing, Chugach National Forest, Alaska, between R&C Rodgers, of Klamath Falls, Oregon (Appellant), and the U. S. Department of Agriculture, Forest Service (FS or the Government). Appellant appealed the decision of the Contracting Officer denying its claim for payment for an additional 650 square feet of roofing material.

During a status conference, Appellant raised the question of the possibility of using alternative disputes resolution (ADR) to resolve the dispute. The Government had no objection. In order to meet the time limits for a Rule 12.2 appeal, the Presiding Judge scheduled a hearing for May 1, 2003,

to be held in the event ADR was unsuccessful. The matter was referred to another judge for ADR proceedings.

The dispute has now been successfully resolved through ADR procedures, R&C Rodgers, AGBCA 2003-148-ADR (March 5, 2003). As a part of that resolution, the parties requested that this appeal be dismissed with prejudice.

**DECISION**

The appeal is dismissed with prejudice.

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**ANNE W. WESTBROOK**  
Administrative Judge

**Issued at Washington, D.C.**  
**March 10, 2003**